

**FILED**

**MAY 28 2013**

Clerk, U.S. District Court  
District Of Montana  
Missoula

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

MISSOULA DIVISION

UNITED STATES OF AMERICA,

Cause No. CR 07-31-M-DWM

Plaintiff,

vs.

ORDER

DERRICK ELLISON GOBLE,

Defendant.

On January 2, 2013, Defendant Goble filed a motion asking the Court to order a start date of March 7, 2008, for the federal sentence imposed on November 21, 2007.


Goble contends that, unless he obtains relief, he will serve 11 months and 20 days, or 355 days, longer than intended. But the Bureau of Prisons website shows that his projected discharge date is April 1, 2015. Inmate Locator, <http://www.bop.gov/iloc2/LocateInmate.jsp> (accessed May 22, 2013). His federal sentence is 84 months, so the start date would seem to be April 1, 2008 – 24 days

beyond March 7, but much closer than 11 months and 20 days. Consequently, there must be additional relevant information that Goble has not presented.

More fundamentally, however, a federal court in Montana does not have personal jurisdiction over the custodian where Goble is incarcerated. And, once a sentence is imposed, a court's authority to alter it is limited. 18 U.S.C. § 3582(c). The Director of the Bureau of Prisons has not filed a motion to reduce Goble's sentence. *Id.* § 3582(c)(1)(A). He has not shown that the Sentencing Commission has lowered his guideline range. *Id.* § 3582(c)(2). More than fourteen days have passed since judgment was entered. Fed. R. Crim. P. 35(a). The United States has not filed a motion to reduce the sentence. Fed. R. Crim. P. 35(b). Goble has not filed a motion to vacate, set aside, or correct the sentence under 28 U.S.C. § 2255 (which would likely be time-barred). I am not aware of other statutory authority that authorizes a reduction of Goble's sentence. 18 U.S.C. § 3582(c)(1)(B).

Accordingly, IT IS HEREBY ORDERED that Goble's motion to reduce his sentence (doc. 35) is DENIED.

DATED this 29<sup>th</sup> day of May, 2013.

  
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Donald W. Molloy  
United States District Court